

HOUSE JOURNAL

SEVENTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-THIRD DAY — WEDNESDAY, APRIL 12, 1995

The house met at 2:35 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 171).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Absent — Wilson.

LEAVES OF ABSENCE GRANTED

On motion of Representative Rodriguez and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative Rodriguez moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills which were considered on second reading on the previous legislative day.

The motion prevailed without objection.

REGULAR ORDER OF BUSINESS SUSPENDED

By unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

HB 3211 - PERMISSION TO INTRODUCE

Representative Berlanga moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3211**.

A record vote was requested.

The motion prevailed by (Record 172): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Glaze; Goodman; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher(C); Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker.

Absent — Allen; Corte; Giddings; Goolsby; Horn; Reyna; Wilson.

HB 3212 - PERMISSION TO INTRODUCE

Representative Dear moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3212**.

A record vote was requested.

The motion prevailed by (Record 173): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Conley; Cook; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Ehrhardt; Eiland; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher(C); Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker.

Absent — Combs; Corte; Edwards; Elkins; Krusee; Ogden; Solomons; Wilson; Woolley.

HJR 130 - PERMISSION TO INTRODUCE

Representative Oakley moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HJR 130**.

A record vote was requested.

The motion prevailed by (Record 174): 136 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carter; Chisum; Clemons; Coleman; Combs; Cook; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Ehrhardt; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Torres; Turner, B.; Turner, S.; Uher(C); Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Nay — Eiland.

Present, not voting — Mr. Speaker.

Absent — Carona; Conley; Corte; Edwards; Heflin; Junell; Lewis, G.; Oakley; Ogden; Stiles; Tillery; Wilson.

PROVIDING FOR LOCAL AND CONSENT BILLS AND RESOLUTIONS CALENDARS

Representative Rodriguez moved to set local and consent bills and resolutions calendars for 10 a.m. Thursday, April 20.

The motion prevailed without objection.

HB 1127 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 1127, A bill to be entitled An Act relating to the exemption from ad valorem taxation of the residence homestead of the surviving spouse of an elderly person.

The bill was read third time and was passed.

HB 2278 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 2278, A bill to be entitled An Act relating to the transfer of certain facilities from the Texas Department of Criminal Justice to other state agencies.

A record vote was requested.

The bill was read third time and was passed by (Record 175): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culbertson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher(C); Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker.

Absent — Averitt; Jones, D.; Wilson.

HB 1957 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 1957, A bill to be entitled An Act relating to the punishment for the offense of theft of cattle, horses, sheep, swine, goats, exotic livestock, or exotic fowl.

The bill was read third time and was passed.

HB 2674 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 2674, A bill to be entitled An Act relating to the charging of interest under certain agreements.

The bill was read third time.

Amendment No. 1

Representative T. Hunter offered the following amendment to the bill:

Amend **HB 2674** by striking Section 1 as amended on second reading in its entirety and by substituting a new Section 1 to read as follows:

"SECTION 1. Section 4, Article 1.06, Title 79, Revised Statutes (Article 5069-1.06, Vernon's Texas Civil Statutes), is amended by adding Subsection (D) to read as follows:

'(D) A person has no civil liability to an obligor and no criminal liability for a violation of this subtitle resulting solely from contracting for, charging or receiving the interest provided in Article 1.03 of this subtitle prior to the 30th day after the debt is due and payable.'"

Amendment No. 1 was adopted without objection.

A record vote was requested.

HB 2674, as amended, was passed by (Record 176): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Denny; Driver; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Maxey; McCall; McCoulskey; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Torres; Turner, B.; Turner, S.; Uher (C); Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker; Hartnett.

Absent — Bailey; Delisi; Dukes; Krusee; Marchant; McDonald; Tillery; Wilson.

HB 997 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 997, A bill to be entitled An Act relating to health insurance coverage for children who are ineligible for Medicaid.

The bill was read third time.

Amendment No. 1

Representative Harris offered the following amendment to the bill:

Amend **HB 997** second reading engrossment on the third reading by: Adding the following to the end of Section 1(e) on page 2, between lines 2 and 3:

The State Medicaid Office is encouraged to explore methods to partner with private insurers to market and manage the program"

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Hilderbran offered the following amendment to the bill:

Amend **HB 997** as follows:

On page 1, line 19, insert a new Subsection (e), and renumber the remaining Subsections accordingly,

(e) The department shall implement and determine eligibility for the pilot program through Department of Human Services eligibility offices.

Amendment No. 2 was adopted without objection.

HB 997, as amended, was passed. (Chisum, Cook, Corte, Heflin, Horn, Kubiak, Moffat, Shields, Swinford, Talton, and B. Turner recorded voting no)

HB 1491 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 1491, A bill to be entitled An Act relating to partner notification programs for persons with human immunodeficiency virus infection.

The bill was read third time.

Amendment No. 1

Representative Janek offered the following amendment to the bill:

Amend **HB 1491** on third reading as follows:

(1) In SECTION 1 of the bill, in the language explaining the amendment, strike "a new Subsection (g)" and substitute "new Subsection (g) and (h)".

(2) Immediately after Section 81.051(g), Health and Safety Code, insert the following:

"(h) A health care professional who fails to make the notification required by Subsection (g) is immune from civil or criminal liability for failure to make that notification."

(3) Strike the "(h)" of Section 81.051, Health and Safety Code, and substitute "(i)".

(4) Strike the "(i)" of Section 81.051, Health and Safety Code, and substitute "(j)".

(5) Strike the "(j)" of Section 81.051, Health and Safety Code, and substitute "(k)".

Amendment No. 1 was adopted without objection.

A record vote was requested.

HB 1491, as amended, was passed by (Record 177): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culbertson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez;

Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher(C); Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost.

Present, not voting — Mr. Speaker.

Absent — Hightower; Mowery; Munoz; Wilson; Zbraneck.

HB 2343 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 2343, A bill to be entitled An Act relating to state loan guarantees for certain businesses.

The bill was read third time and was passed. (Heflin and Ogden recorded voting no)

HB 2344 ON THIRD READING

The chair laid before the house, on its third reading and final passage,

HB 2344, A bill to be entitled An Act relating to state loans provided to certain businesses.

(Speaker in the chair)

The bill was read third time and was passed.

HB 1775 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1775, A bill to be entitled An Act relating to permit and license requirements for the Texas Low-Level Radioactive Waste Disposal Authority.

The bill was read third time and was passed. (Kubiak and McDonald recorded voting no)

HB 1085 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1085, A bill to be entitled An Act relating to the authority of counties to contract with private entities for the collection of child support.

The bill was read third time and was passed.

HB 971 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 971, A bill to be entitled An Act relating to health care liability claims.

The bill was read third time and was passed.

HB 2265 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 2265, A bill to be entitled An Act relating to collection of judgments, fines, forfeitures, and penalties collected by district, county, and precinct officers.

The bill was read third time and was passed.

HB 1084 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1084, A bill to be entitled An Act relating to disclosure to the Texas Department of Health and local health authorities of veterinarian records necessary to rabies and zoonosis control.

The bill was read third time and was passed.

HB 1531 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1531, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Hamshire Municipal Utility District.

A record vote was requested.

The bill was read third time and was passed by (Record 178): 143 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Nay — Hightower.

Present, not voting — Mr. Speaker(C).

Absent — Culbertson; Ehrhardt; McCoulskey; Nixon; Wilson.

HB 552 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 552, A bill to be entitled An Act relating to peace officers of hospitals in certain municipalities.

The bill was read third time and was passed. (Chisum, Corte, King, Rabuck, and Swinford recorded voting no)

HB 73 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 73, A bill to be entitled An Act relating to the fraudulent filing of a financing statement; providing a penalty.

The bill was read third time and was passed.

HB 366 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 366, A bill to be entitled An Act relating to the exemption from ad valorem taxation of income-producing tangible personal property and mineral interests having a value of less than a certain amount.

The bill was read third time and was passed.

**SB 128 ON THIRD READING
(Greenberg - House Sponsor)**

The speaker laid before the house, on its third reading and final passage,

SB 128, A bill to be entitled An Act relating to the privilege of person's spouse not to be called as a witness in certain proceedings against the person.

The bill was read third time.

Amendment No. 1

Representative Greenberg offered the following amendment to the bill:

Amend **SB 128** on third reading, as follows:

(1) In Section 3 as added by 2nd reading Amendment No. 3 by Gallego, in proposed Section 23.101(a), Government Code, strike the following as Subdivision (1) of that subsection and renumber the following as Subdivision (8) of that subsection:

"an offense under:

(A) Section 21.11, Penal Code;

(B) Chapter 22, Penal Code, if the victim of the alleged offense is younger than 17 years of age;

(C) Section 25.02, Penal Code, if the victim of the alleged offense is younger than 17 years of age; or

(D) Section 21.11, Penal Code;"

(2) In Section 3 as added by 2nd reading amendment no. 3 by Gallego, in proposed Section 23.101(a), Government Code, strike "(6) suits for declaratory judgment under Section 89.085, Natural Resources Code; and" and substitute [(6) suits for declaratory judgment under Section 89.085, Natural Resources Code]; and

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative De La Garza offered the following amendment to the bill:

Amend **SB 128** on third reading by striking the language added to the bill by 2nd reading amendment no. 2 by De La Garza.

Amendment No. 2 was adopted without objection.

HB 176 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 176, A bill to be entitled An Act relating to components of net income used in establishing rates of a gas utility.

The bill was read third time.

Amendment No. 1

Representatives Davis, Berlanga, Telford, Hernandez, Solis, R. Cuellar, J. Jones, Edwards, Yarbrough, Luna, Giddings, Van de Putte, Conley, Farrar, Torres, Moreno, Uher, S. Turner, Danburg, Rangel, Alonzo, Ehrhardt, Maxey, and Wilson offered the following amendment to the bill:

Amend **HB 176** by adding an appropriately numbered section to read as follows and renumbering subsequent sections appropriately:

(f) This legislation is not intended to increase gas utility rates to the customer not caused by utility service. Utility rates shall include only expenses caused by utility service.

Amendment No. 1 was adopted without objection.

HB 176, as amended, was passed. (Ogden recorded voting no)

SB 128 - (consideration continued)

SB 128, as amended, was passed.

HB 699 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 699, A bill to be entitled An Act relating to the eligibility of certain military veterans and other persons with military-related service and survivors of certain military veterans to an exemption from tuition, fees, and charges at a public institution of higher education if the person is in default of an educational loan made under a federal program.

The bill was read third time and was passed.

HB 1463 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1463, A bill to be entitled An Act relating to a lien in favor of a seller of agricultural chemicals, agricultural seeds, or animal feed or of a provider of labor in connection with the agricultural chemicals or agricultural seeds; providing penalties.

The bill was read third time and was passed.

HB 1324 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1324, A bill to be entitled An Act relating to the creation of the offense of permitting a child to sell items or services or solicit donations at night.

The bill was read third time and was passed. (Corte, Rabuck, and Swinford recorded voting no)

HB 2068 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 2068, A bill to be entitled An Act relating to tuition paid by air force personnel for certain courses at Midwestern State University.

The bill was read third time and was passed.

HR 602 - ADOPTED

Representative De La Garza moved to suspend all necessary rules to take up and consider at this time **HR 602**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By De La Garza,

HR 602, Honoring the Blue Angels basketball team.

The resolution was adopted without objection.

RULES SUSPENDED

Representative Sadler moved to suspend the 5-day posting rule to allow the Committee on Public Education to consider **SB 1** and the committee substitute for the balance of the legislative session.

The motion prevailed without objection.

Representative Holzhauser moved to suspend the 48-hour subcommittee report rule to allow the Committee on Energy Resources to consider **HB 2520**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Public Education, on adjournment today, 9 a.m. Thursday, April 13, and 2 p.m. Monday, April 17.

Appropriations, on adjournment today, Appropriations committee room.

Conference Committee on HB 1, 5 p.m. today.

Civil Practices, on adjournment today.

Corrections, on adjournment today, Desk 45, to consider pending business.

Elections, on adjournment today, to consider posted bills.

General Investigating, with the senate committee, 4 p.m. today, Senate Finance committee room.

State Affairs, on adjournment today, speakers committee room, to consider pending business.

Pensions and Investments, on adjournment today, E2.030, Capitol Extension.

Urban Affairs, on adjournment today, Desk 73, to consider **HB 1071** and **HB 2097**.

Energy Resources, on adjournment today, Desk 18, to consider **HB 2520** and **SB 744**.

Human Services, on adjournment today, Desk 41, to consider pending business.

PROVIDING FOR ADJOURNMENT

Representative Hochberg moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. Tuesday, April 18, and, as part of the sesquicentennial celebration of Texas statehood, do so in memory of the Honorable Timothy Pilsbury, first member of the U.S. House of Representatives for the Western District of Texas, on the 215th anniversary of his birth.

The motion prevailed without objection.

HOUSE BILLS ON FIRST READING

The following house bills were today laid before the house, read first time, and referred to committees:

By Serna,

HB 3209, A bill to be entitled An Act relating to the regulation of currency exchange and currency transmission business.

To Committee on Financial Institutions.

By Hamric,

HB 3210, A bill to be entitled An Act relating to rulemaking by the Texas Natural Resource Conservation Commission in relation to vehicle emissions and similar clean air programs and to advisory participation in that rulemaking.

To Committee on Environmental Regulation.

RESOLUTIONS REFERRED TO COMMITTEES

The following resolutions were laid before the house and referred to committees:

By Black,

HCR 160, Authorizing the lieutenant governor and speaker to create joint committees by mutual agreement.

To Committee on House Administration.

By Ramsay,
HCR 163, Congratulating the Clarksville High School boys' basketball team.

To Committee on Rules and Resolutions.

By Berlanga, Davila, Alonzo, Solis, Romo, et al.,
HR 579, In memory of Selena Quintanilla Perez.
To Committee on Rules and Resolutions.

By B. Turner and Carter,
HR 580, Honoring the Ozona High School girls' basketball team.
To Committee on Rules and Resolutions.

By Alexander,
HR 581, In memory of Burton Stewart Sneed, Jr.
To Committee on Rules and Resolutions.

By Kuempel,
HR 583, Congratulating Doyle Krueger for his professional achievements.
To Committee on Rules and Resolutions.

By Harris,
HR 584, Honoring Pearland Memorial Post 7109 of the Veterans of Foreign Wars on the 25th anniversary of its founding.
To Committee on Rules and Resolutions.

By Harris,
HR 585, In memory of Houston police officer Guy P. Gaddis.
To Committee on Rules and Resolutions.

By Harris,
HR 586, Congratulating Mary H. Knapp on her retirement.
To Committee on Rules and Resolutions.

By Coleman,
HR 587, Relating to federal funding formulas and how they affect the State of Texas.
To Committee on Human Services.

SENATE BILLS ON FIRST READING

The following senate bills were today laid before the house, read first time, and referred to committees:

SB 115 to Committee on Juvenile Justice and Family Issues.

SB 117 to Committee on Juvenile Justice and Family Issues.

SB 262 to Committee on Juvenile Justice and Family Issues.

SB 294 to Committee on Juvenile Justice and Family Issues.

SB 337 to Committee on Public Safety.

SB 440 to Committee on Criminal Jurisprudence.

SB 513 to Committee on Public Health.

SB 641 to Committee on Ways and Means.

SB 670 to Committee on State Affairs.

SB 707 to Committee on County Affairs.

SB 731 to Committee on Natural Resources.

SB 771 to Committee on County Affairs.

SB 1103 to Committee on Land and Resource Management.

RESOLUTION REFERRED TO COMMITTEE

The following resolution was laid before the house and referred to committee:

SCR 120, In memory of Joe Manor.

To Committee on Rules and Resolutions.

ADJOURNMENT

In accordance with a previous motion, the house, at 3:26 p.m., adjourned until 10 a.m. Tuesday, April 18.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

Corrections - **HB 2162**

Energy Resources - **HB 955, HJR 30**

Human Services - **HB 867, HB 869, HB 1111, HB 2208**

Insurance - **HB 771, HB 885, HB 1472**

Judicial Affairs - **HB 3201, SB 780**

Land and Resource Management - **HB 389**

Pensions and Investments - **HB 2166, HB 2943, SB 774**

Public Health - **HB 1508**

State Recreational Resources - **HB 1956, HB 2130**

Ways and Means - **HB 900**

ENGROSSED

April 11 - **HB 835, HB 875, HB 1086, HB 1115, HB 1146, HB 1605, HB 1648, HB 1689, HB 1743, HB 2313, HJR 64**

ENROLLED

April 11 - **HCR 51, HCR 52, HCR 118, HCR 138, HCR 140**

SENT TO THE GOVERNOR

April 11 - **HCR 51, HCR 52, HCR 118, HCR 138, HCR 140**

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